

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**FCCI INSURANCE COMPANY,**

***Plaintiff,***

**v.**

**EASY MIX CONCRETE SERVICES,  
LLC,**

***Defendant.***

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**C. A. NO. 1:23-CV-01433- DII**

**JOINT STATUS REPORT**

Pursuant to the Court’s Order (ECF No. 28), the parties jointly submit this status report to advise the Court of the status of this case and the status of the Underlying Lawsuits.

The parties are now in the discovery period set by the Court’s scheduling order. In accordance with that order, FCCI Insurance Company (“FCCI”) has also extended a written offer of settlement to Easy Mix, which Easy Mix has respectfully declined. In discovery, the parties have yet to encounter any issue indicating the case schedule needs to be revisited, nor have they yet encountered discovery-related issues requiring redress from the Court.

With respect to the status of the Underlying Lawsuits (as referenced in ECF No. 28), Cause No. D-1-GN-23-001151; *The Bradley and Nicole Holden Trust as Restated on March 20, 2018*; in the 419<sup>th</sup> Judicial District Court of Travis County, Texas, as included in the MDL, has been dismissed with prejudice.

Some of the remaining cases have amended pleadings, that will be addressed by the parties, but none of those cases have yet to reach a resolution on any factual issues that would implicate an indemnity obligation.

Dated: September 25, 2024.

Respectfully submitted,

/s/ Ernest Martin, Jr.

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**COUNSEL FOR PLAINTIFF,  
FCCI INSURANCE COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document was served on all counsel of record via the court's ECF System on this 25<sup>th</sup> day of September, 2024.

/s/ Beth D. Bradley

Beth D. Bradley